



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,467	11/13/2003	Terry Michael Bleizeffer	RSW920030160US1	9433

36736 7590 10/17/2007  
DUKE W. YEE  
YEE & ASSOCIATES, P.C.  
P.O. BOX 802333  
DALLAS, TX 75380

EXAMINER
----------

DASGUPTA, SOUMYA

ART UNIT	PAPER NUMBER
----------	--------------

2176

MAIL DATE	DELIVERY MODE
-----------	---------------

10/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/712,467

Applicant(s)

BLEIZEFFER ET AL.

Examiner

Soumya Dasgupta

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/13/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is a second non-final action in response to the following communication to the application 10/712467 filed on 11/13/2003. Claim 1-24 are pending in this case. Claims 1, 11, 21, and 24 are independent claims.

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 24 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim fails to place the invention within one statutory class of invention.

#### **Claim 24:**

On page 20, lines 2-11 of the instant specification, applicant has provided evidence that applicant intends the "recordable-type medium" to use signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and this is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefore not a composition of matter.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 11-14, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane).

**Claim 1:**

Keane teaches a method for presenting a step of a task, wherein the task includes a series of steps to be performed, the method comprising: identifying a current step within the series of steps; (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

retrieving a step component for the current step; (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step. The user can input the settings of the current step.)

and presenting the current step inline within the series of steps such that the step component is presented in context within the series of steps. (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step within a series of other steps.)

Art Unit: 2176

**Claim 2:**

Keane discloses **a method wherein identifying a current step within the series of steps** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

**receiving a request from a client.** (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components.)

**Claim 3:**

Keane discloses **a method that identifies a user selection of the current step within the series of steps.** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

**a request from a client.** (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components.)

**Claim 4:**

Keane discloses **a method wherein the request is a HyperText Transfer Protocol.** (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components.)

**Claim 11:**

Claim 11 corresponds with claim 1.

**Claim 12:**

Claim 12 corresponds to claim 2.

**Claim 13:**

Claim 13 corresponds to claim 3.

**Claim 14:**

Claim 14 corresponds to claim 4.

**Claim 24:**

Claim 24 corresponds with claim 1.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2176

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 5-6, 8-10, 15-16, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being obvious over Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane) in view of Hind et al (US 6715129; Patent Issue Date: Mar 30, 2004; Patent Filing Date: Oct 13, 1999; hereafter Hind).

**Claim 5:**

Keane teaches the limitations of claim 1.

Keane discloses ***a method presenting current step inline with a series of steps*** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step within a series of other steps.)

Keane also discloses ***Java***. (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Art Unit: 2176

Keane does not appear to explicitly disclose **a method using a Java Server Page**.

However, Hind discloses **a method presenting a Java Server Page**. (Abstract → Hind discloses a system that Java Server Pages.)

Keane and Hind are both analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind.

The motivation for doing so would have been to allow an user interface with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with an universal language like Java.

Therefore, it would have been obvious to combine Hind with Keane to obtain the invention as specified in the instant claim.

**Claim 6:**

Keane and Hind discloses the limitations of claim 5.

Keane discloses **a method of retrieving a step component for the current step includes retrieving the step component using a Tiles framework** (Fig 4a-c → Keane teaches a system with a graphical user interface sets of general categories of the process broken down into steps. The categories, steps, and user input are



Art Unit: 2176

presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components.)

**Claim 8:**

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method wherein the response page includes a navigation tile, wherein the navigation tile presents a plurality of tasks*** (Fig 4a-c → Keane teaches a system with a graphical user interface sets of general categories of the process broken down into steps. The categories, steps, and user input are presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components as well as navigation using the back and next buttons for tasks and steps in the process.)

**Claim 9:**

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method of identifying a current task within the plurality of tasks; retrieving a task tile for the current task; and presenting the task tile as a series of steps*** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step. The user can input the settings of the current step. The categories, steps, and user input are presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components)

**Claim 10:**

Keane and Hind discloses the limitations of claim 5.

Art Unit: 2176

Keane discloses ***a method of a identifying a current step within the series of steps***

(Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

Keane also discloses ***sending the response page to the client***. (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components.)

**Claim 15:**

Claim 15 corresponds to claim 5.

**Claim 16:**

Claim 16 corresponds to claim 6.

**Claim 18:**

Claim 18 corresponds to claim 8.

**Claim 19:**

Claim 19 corresponds to claim 9.

Art Unit: 2176

**Claim 20:**

Claim 20 corresponds to claim 10.

**Claim 21:**

Keane discloses **a server** (Fig 1a → Keane discloses a system that uses a web server.)

**for presenting a step of a task, wherein the task includes a series of steps to be performed,** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

**the method comprising: a controller, wherein the controller receives a request from a client,** (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components.)

**wherein the request identifies a current step within the series of steps,** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

**and wherein the controller retrieves a step component for the current step;** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step. The user can input the settings of the current step.)

Art Unit: 2176

and a server page that builds a **response page**. (Fig 1A and col 13, lines 59-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol using HTML components. It is well-known in the art for the server to respond to a client using a page.)

**and wherein the response page presents the current step inline within the series of steps such that the step component is presented in context within the series of steps.** (Fig 4 a-c → Keane teaches a system with a graphical user interface with a process with steps. The current step is a highlighted step within a series of other steps.)

Keane also discloses **Java**. (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Keane does not explicitly disclose a server page that is a **Java Server Page**.

However, Hind discloses a **Java Server Page**. (Abstract → Hind discloses a system that has a Java Server Page. It is typical for a server page to have a respond page for a client request.)

Keane and Hind are both analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind.

Art Unit: 2176

The motivation for doing so would have been to allow an user interface with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with an universal language like Java.

Therefore, it would have been obvious to combine Hind with Keane to obtain the invention as specified in the instant claim.

**Claim 23:**

Claim 23 corresponds to claim 6.

8. Claims 7, 17, and 22 are rejected under 35 U.S.C. 103(a) as being obvious over Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane) in view of Hind et al (US 6715129; Patent Issue Date: Mar 30, 2004; Patent Filing Date: Oct 13, 1999; hereafter Hind) in further view of Scheinblum ("Make Your Applications Strut"; Copyright Date: March 5, 2002. <http://articles.techrepublic.com.com/5100-22-1027640.html>; hereafter Schein').

**Claim 7:**

Keane and Hind disclose the limitations of claim 5.

Keane discloses building a response page (col 5, lines 56-65 → Keane discloses a system with a GUI that communicates on a network with a communication protocol. It is typical for a server page to have a respond page for a client request.)

and the use of Java. (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Art Unit: 2176

Keane and Hind does not appear to explicitly disclose ***a method wherein building the response page using a Struts framework.***

However, Schein' discloses ***a method presenting a Struts Framework.*** (pg U-1, 1<sup>st</sup> paragraph → Schein' discloses a Struts Framework technology.)

Keane, Hind, and Schein' are analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind, and with Java based Struts framework, as disclosed by Schein'.

The motivation for doing so would have been to allow templates of graphical interface user that presents with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with an universal language like Java.

Therefore, it would have been obvious to combine Hind and Schein' with Keane to obtain the invention as specified in the instant claim.

**Claim 17:**

Claim 17 corresponds to claim 7.

Art Unit: 2176

**Claim 22:**

Claim 22 corresponds to claim 7.

***Response to Arguments***


**Claims 1-24:**

4. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soumya Dasgupta whose telephone number is 571-272-7432. The examiner can normally be reached on M-Th 9am-7pm, F 9am-1pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

  
Doug Hutton  
Primary Examiner  
Technology Center 2100